GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:3708
ANSWERED ON:13.12.2000
NATIONAL COMMISSION FOR SC/ST
JAGDAMBI PRASAD YADAV

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) the aims and objectives of the Government in constituting the National Commission for SCs/STs;

(b) the details of powers and scope of the Commission in deciding the cases of victimization on caste basis of Government employees;

(c) the stand of the Government to ensure, that at least the orders of commission in such cases related to the Government Departments and organisations are implemented; and

(d) the action proposed to be taken by the Government against errant officals who are bent upon to undermine the authority of the Commission and defeat the purpose of the Government by neither implementing the orders of the Commission nor challenging them in the court of law within the stipulated period?

Answer

MINISTER OF STATE OF DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS` WELFARE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SMT. VASUNDHARA RAJE)

(a)&(b) : Aims and objectives of constituting National Commission for Scheduled Castes and Scheduled Tribes and powers and scope of the Commission are contained in Article 338 of the Constitution.

(c)&(d) : In terms of clause 6 of Article 338 of the Constitution, recommendations of the National Commission for Scheduled Castes and Scheduled Tribes contained in its reports together with a memorandum explaining action taken or proposed to be taken are laid before each House of the Parliament. However, as held by the Superme Court in the All India Indian Overseas Bank Scheduled Castes and Scheduled Tribes Employees Welfare Association and Others Vs. Union of India and others (Civil Appeal No. 13700 of 1996), the National Commission for Scheduled Castes and Scheduled Tribes has no powers of granting injunctions, whether temporary or permanent.